

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

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Chapter 11

RUDOLPH W. GIULIANI

a/k/a RUDOLPH WILLIAM GIULIANI,

Debtor.
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Case No. 23-12055 (SHL)

**DECLARATION OF RACHEL BIBLO
BLOCK IN SUPPORT OF THE OMNIBUS
OBJECTION OF THE OFFICIAL COMMITTEE
OF UNSECURED CREDITORS OF RUDOLPH W.
GIULIANI TO (I) DEBTOR'S AMENDED APPLICATION
FOR RETENTION AND EMPLOYMENT OF AIDALA, BERTUNA
& KAMINS, P.C. AS SPECIAL COUNSEL EFFECTIVE DECEMBER
21, 2023 AND (II) APPLICATION TO EMPLOY BERGER, FISCHOFF,
SHUMER, WEXLER & GOODMAN, LLP AS ATTORNEY FOR THE DEBTOR**

Under 28 U.S.C. § 1746, I, Rachel Biblo Block, declare as follows under the penalty of perjury:

1. I am an attorney admitted to practice in the States of Delaware and Texas, and I have been admitted *pro hac vice* in connection with the above-captioned case.

2. I am a counsel at the firm of Akin Gump Strauss Hauer & Feld LLP ("Akin"). Akin maintains offices at, among other places, One Bryant Park, New York, New York 10036. There are no disciplinary proceedings pending against me.

3. I am duly authorized to make this declaration on behalf of the Official Committee of Unsecured Creditors in support of the *Omnibus Objection of the Official Committee of Unsecured Creditors of Rudolph W. Giuliani to (I) Debtor's Amended Application For Retention And Employment of Aidala, Bertuna & Kamins, P.C. as Special Counsel Effective December 21, 2023 and (II) Application to Employ Berger, Fischhoff, Shumer, Wexler & Goodman, LLP as Attorney For The Debtor*, filed contemporaneously herewith.

4. Attached hereto as **Exhibit A**, **Exhibit B** and **Exhibit C** are true and correct copies of email correspondence among Berger, Fischhoff, Shumer, Wexler & Goodman, LLP, proposed counsel to the Debtor, and Akin, proposed counsel to the Committee.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on February 15, 2024, in Dallas, Texas.

Respectfully submitted,

/s/ Rachel Biblo Block
Rachel Biblo Block

EXHIBIT A

Email Correspondence Dated January 29, 2024

From: Biblo Block, Rachel
Sent: Monday, January 29, 2024 2:19 PM
To: 'Gary Fischoff'
Cc: Dublin, Philip; Qureshi, Abid; Danovitch, Amelia
Subject: Giuliani - Retention Applications

Hi Gary,

I'm circling back from our call last week on the retention applications with a list of follow-up questions and comments so that everything is in one place.

1. Declarations from Legal Defense Funds

- We saw the declarations that were filed today in connection with the amended ABK application.
- The second page of the Menges declaration has words cut off. Can you file a version that includes the full second page?
- The Menges declaration includes a waiver of all reimbursement and/or indemnification rights with respect to legal fees already paid on behalf of the debtor but did not waive such rights with respect to future fees and expenses. That waiver should be added, and paragraph 4 should be clear that any future "financing" is also included in that waiver. Can you confirm another Menges declaration will be filed in connection with the C&S application.
- Andrew's declaration seems to include a waiver of all reimbursement rights with respect to legal fees already paid on behalf of the debtor (see paragraphs 3 and 5), but it's not clear that waiver is also forward looking and that the legal defense fund will waive its claims against the debtor/estate. That should be updated to be clear that the waiver covers previously paid amounts and amounts that may be paid in the future (waiving reimbursement and indemnification rights). Can you confirm another declaration from Andrew will be filed in connection with the C&S application.
- With respect to both legal defense funds, the declarations should include information regarding who runs the funds and their affiliations with the debtor, donors and their donation history, and on what the donations have been spent.

2. ABK Retention Application

- Have you heard back from ABK on a budget and whether the \$500 rate applies to partners (not "all attorneys")?
- It looks like the retainer agreement concept was removed from the amended application. Can you confirm.
- Will ABK still be working with a co-counsel in the Georgia criminal case? If so, then whom will that be and can ABK confirm in the declaration there will be no duplication of services.
- In the proposed order,
 - The Bankruptcy Code reference should be 327(e).
 - Language should be added that mirrors the language in the application that any third party that pays ABK's fees on behalf of the debtor will waive any claim against the debtor/estate in connection therewith.

3. C&S Retention Application

- Once ready, can you provide the draft amended declaration with the additional disclosures concerning the other matters on which C&S represents the debtor?
- I know you are tracking down the missing information in the draft amended declaration concerning C&S's 2023 rates and the retention terms.
- In the proposed order,
 - The Bankruptcy Code reference should be 327(e).

- Language should be added that any third party that pays C&S's fees on behalf of the debtor will waive any claim against the debtor/estate in connection therewith.

4. Other Retention Applications

- What is the name of the broker for the debtor's NYC apartment, and when do you expect to file that retention application?
- What is the name of ABK's co-counsel in the Georgia state criminal case, and when do you expect to file that retention application?
- When do you expect to file your firm's retention application?

We appreciate your help on this and are happy to discuss.

Thanks,

Rachel

Rachel Biblo Block

Akin

2300 N. Field Street | Suite 1800 | Dallas, TX 75201 | USA | Direct: [+1 214.969.2736](tel:+12149692736) | Internal: [12736](tel:+12149692736)

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Pronouns: she/her/hers ([What's this?](#))

EXHIBIT B

Email Correspondence Dated February 2, 2024 Through February 13, 2024

From: Biblo Block, Rachel
Sent: Tuesday, February 13, 2024 5:14 PM
To: Heath Berger; Gary Fischhoff
Cc: Dublin, Philip; Qureshi, Abid; Hill, David
Subject: RE: Giuliani - Legal Defense Funds

Heath and Gary,

We are circling back again on the information requests below. Can you please respond with when we will receive the information or otherwise provide an update on efforts to collect the information.

Thanks,

Rachel

Rachel Biblo Block

Akin

Direct: +1 214.969.2736 | Internal: 12736

Pronouns: she/her/hers ([What's this?](#))

From: Biblo Block, Rachel
Sent: Thursday, February 8, 2024 1:45 PM
To: 'Heath Berger' <hberger@bfsllawfirm.com>; Gary Fischhoff <gfischhoff@bfsllawfirm.com>
Cc: Dublin, Philip <pdublin@AkinGump.com>; Qureshi, Abid <aqureshi@AkinGump.com>; Hill, David <dhill@akingump.com>
Subject: RE: Giuliani - Legal Defense Funds

Thanks Heath, please send over the original. With respect to the debtor's intent to proceed with the Biden lawsuit and the Dunphy lawsuit, the UCC reserves all rights regarding lifting the stay and otherwise, but how would the debtor's attorneys in those cases be paid if the lawsuits did proceed?

Can you provide an update as to when we can expect to receive the other information that we have requested?

As flagged below, please send us any follow-up information and documents that you are sending to Andrea based on filings, as a result of the section 341 meeting or otherwise. Also, what is the plan with respect to the debtor obtaining homeowners insurance?

Rachel Biblo Block

Akin

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Pronouns: she/her/hers ([What's this?](#))

From: Heath Berger <hberger@bfsllawfirm.com>
Sent: Monday, February 5, 2024 11:21 AM
To: Biblo Block, Rachel <rbibloblock@akingump.com>; Gary Fischhoff <gfischhoff@bfsllawfirm.com>
Cc: Dublin, Philip <pdublin@AkinGump.com>; Qureshi, Abid <aqureshi@AkinGump.com>; Hill, David

<DHill@akingump.com>

Subject: RE: Giuliani - Legal Defense Funds

****EXTERNAL Email****

See below for responses to disclosure.

Thanks

Heath



Heath S. Berger, Esq.

Berger, Fischhoff, Shumer, Wexler & Goodman, LLP

6901 Jericho Turnpike, Suite 230

Syosset, New York 11791

(516) 747-1136

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www.bfsbankruptcy.com

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From: Biblo Block, Rachel <rbibloblock@akingump.com>

Sent: Saturday, February 03, 2024 9:01 AM

To: Gary Fischhoff <gfischhoff@bfslawfirm.com>; Heath Berger <hberger@bfslawfirm.com>

Cc: Dublin, Philip <pdublin@AkinGump.com>; Qureshi, Abid <aqureshi@AkinGump.com>; Hill, David <DHill@akingump.com>

Subject: RE: Giuliani - Legal Defense Funds

Gary and Heath,

I'm supplementing my email below with additional follow-up items from our call yesterday.

With respect to retention applications, please provide:

- Any additional information provided to the UST.
- Formation /organization documents for Giuliani Defense (those do not appear to be online).
- ABK's response to a budget.
- The full as-filed Menges declarations (the text on the second page is cut off).
- Contact information for each of the two legal defense funds (the declarant / affidavit, their counsel) (I know you are reaching out to ask them about this).

With respect to financial disclosure filings, please provide:

- The full bank statement attached to the MOR (the last page is blacked out) – **The last page is blank, unfortunately the paper is powder blue and comes out black when copied. I can provide the original if you like**
- Information regarding the debtor's intention with his lawsuit against President Biden (seeking to lift the stay, etc.) –**Spoke to attorney. We will be making a motion for relief from stay to pursue the action. A motion has been filed to dismiss the case**
- Information regarding the debtor's intention with Ms. Dunphy's lawsuit (seeking to lift the stay, etc.).**The debtor believes that there is no basis for this claim and we will seek relief to file a motion to dismiss**
- More information about the debtor's claim against former President Trump (with a call to discuss early next week).**We can discuss**

Also, we did not cover this on the call, but is there a plan to sell the debtor's house in Florida?

Please note that we are likely to have additional questions.

Thanks,

Rachel

Rachel Biblo Block

Akin

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Pronouns: she/her/hers ([What's this?](#))

From: Biblo Block, Rachel

Sent: Friday, February 2, 2024 11:43 AM

To: 'Gary Fischhoff' <gfischhoff@bfslawfirm.com>; Heath Berger <hberger@bfslawfirm.com>

Cc: Dublin, Philip <pdublin@AkinGump.com>; Qureshi, Abid <aqureshi@AkinGump.com>; Hill, David <dhill@akingump.com>

Subject: Giuliani - Legal Defense Funds

Gary and Heath,

I will send a complete list of all the follow-up items from our call this morning but am circling back now to again request bank, account, and financial statements and any other applicable records with respect to the legal defense funds that show who made donations to the funds, how much money each fund has, and where the money has gone since formation. Please let us know when we will receive this information or whether we should seek relief from the Bankruptcy Court to get this information.

Thanks,

Rachel

Rachel Biblo Block

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This email message was sent from Akin Gump Strauss Hauer & Feld LLP. The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message

EXHIBIT C

Email Correspondence Dated February 3, 2024

From: Biblo Block, Rachel
Sent: Saturday, February 3, 2024 9:01 AM
To: Gary Fischhoff; Heath Berger
Cc: Dublin, Philip; Qureshi, Abid; Hill, David
Subject: RE: Giuliani - Legal Defense Funds

Gary and Heath,

I'm supplementing my email below with additional follow-up items from our call yesterday.

With respect to retention applications, please provide:

- Any additional information provided to the UST.
- Formation /organization documents for Giuliani Defense (those do not appear to be online).
- ABK's response to a budget.
- The full as-filed Menges declarations (the text on the second page is cut off).
- Contact information for each of the two legal defense funds (the declarant / affidavit, their counsel) (I know you are reaching out to ask them about this).

With respect to financial disclosure filings, please provide:

- The full bank statement attached to the MOR (the last page is blacked out).
- Information regarding the debtor's intention with his lawsuit against President Biden (seeking to lift the stay, etc.).
- Information regarding the debtor's intention with Ms. Dunphy's lawsuit (seeking to lift the stay, etc.).
- More information about the debtor's claim against former President Trump (with a call to discuss early next week).

Also, we did not cover this on the call, but is there a plan to sell the debtor's house in Florida?

Please note that we are likely to have additional questions.

Thanks,

Rachel

Rachel Biblo Block

Akin

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From: Biblo Block, Rachel
Sent: Friday, February 2, 2024 11:43 AM
To: 'Gary Fischhoff' <gfischhoff@bfslawfirm.com>; Heath Berger <hberger@bfslawfirm.com>
Cc: Dublin, Philip <pdublin@AkinGump.com>; Qureshi, Abid <aqureshi@AkinGump.com>; Hill, David <dhill@akingump.com>
Subject: Giuliani - Legal Defense Funds

Gary and Heath,

I will send a complete list of all the follow-up items from our call this morning but am circling back now to again request bank, account, and financial statements and any other applicable records with respect to the legal defense funds that show who made donations to the funds, how much money each fund has, and where the money has gone since formation. Please let us know when we will receive this information or whether we should seek relief from the Bankruptcy Court to get this information.

Thanks,

Rachel

Rachel Biblo Block

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